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## AT RISK YOUTH (ARY) CHILD IN NEED OF SERVICES (CHINS)

# FORMS FOR REQUESTING A BENCH WARRANT

This is a petitioner-driven action. The petitioner is responsible for reading and following these instructions.

## YOU ARE REPRESENTING YOURSELF. IT IS YOUR RESPONSIBILITY TO BE SURE ALL FORMS ARE FILLED OUT COMPLETELY AND IN BLUE OR BLACK INK ONLY OR THEY WILL BE REJECTED.

## \*\*PLEASE DO NOT TAKE THIS PACKET APART!!\*\*

After an ARY or CHINS order is entered, any legal party may set a hearing for the court to consider whether or not a violation of the court order has occurred and whether a party should be held in contempt of court for that violation. If a hearing is not possible due to the fact that the party who allegedly violated the court order is unavailable for service, then a warrant can be requested from the court.

Also, if your child has been away from the home without your permission overnight, and you do not currently know where they are, then a warrant can be requested from the court. You will also need to contact your local police/sheriff and report your child as a runaway.

If you'd like the court to issue a bench warrant, you must fill out the required forms and drop the completed packet off at:

Probation Department Reception Denney Juvenile Justice Center 2801 – 10<sup>th</sup> Street, Everett, WA 98201.

Paperwork may be dropped off at anytime between 8:00 a.m. & 5:00 p.m. Monday – Friday (except for Holidays); however, the packets are picked up, prepared and submitted for judge's signature **ONLY ONCE PER DAY**. On Monday – Thursday @ 11:30 a.m. & on Friday's @ 10:00 a.m. If your paperwork is submitted after these times on a given day, then they will be picked up, prepared & submitted for judge's signature on the following business day at the stated times. **Your copies will be available for pick up between 4:00 p.m. and 5:00 p.m. on the day they are signed.** 

## Instructions For Requesting A Warrant:

If you are requesting a warrant, you will need to fill out the forms found in this packet. They are:

- 1) Motion and Affidavit for Order Directing Issuance of Bench Warrant
- 2) Order Determining Probable Cause and Directing Issuance of a Bench Warrant

### Instructions below:

## **RE:** Motion and Affidavit for Order Directing Issuance of a Bench Warrant.

- Fill out the title information on the case (in the box at the top, put in the Youth's Last name, First name, Middle initial, & DOB) and case number (16-7-00000-31) as found on your <u>Order</u>
- Under "Motion" Fill in the date the ARY/CHINS Order was entered
- Under "Motion" Sign on the Signature line
- Under "Affidavit", write the date/time that the youth left, the date/time you're turning in the packet & the fact that the youth is still currently not at the parental home or in an out of home placement approved by parent as ordered under section 3.1 B.
- Under "Affidavit: Sign on the Signature line and fill in the date you signed.

## **RE: Order Determining Probable Cause and Directing Issuance of Bench Warrant.**

- Fill out the title information on the case (in the box at the top, put in the Youth's Last name, First name, Middle initial, & DOB) and case number (10-7-00000-1) as found on your <u>Order</u>
- Fill in the description of the youth (height, weight, eyes, hair, identifying marks, etc.).

## **LEAVE THE REST OF THE FORM BLANK!**

## **Warrant Pick-Up:**

- The moving party is mandated to appear at ALL warrant hearings without their presence, there is NO ONE to provide information about the warrant and the youth will be released. PLEASE NOTE: Once a warrant is served, we're only able to call with short notice to appear, so please be sure to read the schedule below so you will know exactly what day & time your hearing will be held in the event staff are unable to reach you when the youth is placed in custody.
- When your copy is made available to you, (see timetable on page 1) you should always pick up your warrant to <u>verify</u> that it was issued. <u>ONLY law enforcement may call the court to verify the warrant</u> staff WILL NOT release this information to a parent and although, unlike the court date paperwork, it is not mandatory that you pick up your copy, it is in your best interest as the warrant may not be posted in the "State Wide System" for up to 3 days. Having your copy also makes it easier for law enforcement to verify the warrants validity through our Detention Center.
- If <u>YOU</u> are unable to pick up the warrant paperwork yourself then you may
  designate someone else to do it, but <u>ONLY</u> if you write the name of the person
  that will be picking it up in the "message" box located on page 1 in the upper
  right hand corner of the packet.
- Any person you request to pick up paperwork in your absence MUST bring identification and present it to the receptionist. Please ask those retrieving the paperwork to present the I.D. w/o being prompted it will save time and confusion for both parties. (Please note: We CANNOT release your paperwork to ANYONE but you without I.D. No Exceptions).
- Once a warrant is served by law enforcement, and/or a youth turns themselves in to Detention, a mandatory hearing needs to be held. (See list of day(s) & time(s) below).
  - \*Warrants that are served on Friday, Saturday and Sunday will be heard on Monday. Warrants served on Monday will be heard Tuesday; Warrants served on Tuesday will be heard on Wednesday and those served on Wednesday will be heard on Thursday <u>These hearings will be in courtroom 3 @ 1:30 p.m.</u>
  - \*Warrants that are served on Thursday will be held on Friday in Courtroom 1 @ 9:00 a.m.

<sup>\*(</sup>Excluding those that land on Holidays).

SUPERIOR COURT OF WASHINGTON			
COUNTY OF SNOHOMISH JUVENILE DIVISION			
IN RE	NO:		
DOB:	MOTION AND AFFIDAVIT FOR ORDER DIRECTING ISSUANCE OF BENCH WARRANT (ARY/CHINS)		
DOB.			
MOTION:  COMES NOW the Maying Party in this matter on	d mayor the court for the incurred of an order directing the		
Clerk of this Court to issue a bench warrant for the arrest of	•		
has <u>Violated Court Ordered Placement of an At-Risk-Youth</u>	n/Child in Need Of Services placement order dated:		
This motion is BASED UPON THE RECORDS AN	ND FILES HEREIN AND UPON THE AFFIDAVIT BELOW		
HERETO.			
Custodial Parent/Legal Guardian			
AFFIDAVIT OF CERTIFICATION			
The undersigned certifies that I am the Custodial	Parent/Legal Guardian in the above stated matter and am		
acquainted with the facts of the above entitled case and request that a Bench Warrant be issued for the following			
reason:			
I CERTIFY UNDER PENALTY OF PERJURY, UNDER TH	E LAWS OF THE STATE OF WASHINGTON THAT THE		
FOREGOING IS TRUE AND CORRECT.			
Custodial Parent/Legal Guardian	Date		

SUPERIOR COURT OF WASHINGTON			
COUNTY OF SNOHOMISH JUVENILE DIVISION			
IN RE:	NO:		
	ORDER DETERMINING PROBABLE CAUSE AND DIRECTING ISSUANCE OF BENCH WARRANT (ARY/CHINS)		
DOB:	DOB: SEX: HEIGHT: HAIR: WEIGHT: RACE: EYES: ID MARKS:		
THIS MATTER HAVING COME on regularly for hearing upon Motion and Order to arrest/pickup child filed with this Court.			
THEREFORE, IT IS HEREBY ORDERED that the Snohomish County Clerk issue a Bench Warrant Pursuant to Chapter 133 Section 28 for the apprehension and arrest of the Juvenile, and that probable cause for such arrest exists because child has not remained in placement as ordered.			
IT IS FURTHER ORDERED that the bail shall be set in the amount of \$cash only to be posted by custodial parent/guardian only.			
IT IS FURTHER ORDERED that upon apprehension of the above referenced juvenile, the juvenile is to be brought before the Court on the next judicial day following the juvenile's apprehension.			
DONE IN OPEN COURT this	day of, 20		
Screened By:	DGE/COURT COMMISSIONER		
Probation staff			

## **Directions for Contempt Packet**

If you want contempt matters heard at the warrant hearing you must file a contempt packet at the time you file the paperwork for the warrant. This can be done if your child has violated conditions of the ARY order other than running away.

If you file the contempt with the warrant paperwork you will be given;

- 1. A copy of the Warrant
- 2. A copy of the Motion to Show Cause Regarding Contempt for Violation of an At Risk Youth/Child in Need of Services Order for your records.
- 3. The youth's copy will be kept at the court and served to the youth when they are detained on the warrant. Court staff will sign the Declaration of Service and have it available for pick up as outlined below.

A court hearing will be held on the first business day after your child's arrest. If you want the contempt matters heard at that hearing you must;

- Appear at Court by 1:30 p.m. for the 2:00 p.m. hearing and
- Bring identification to show detention staff and pick up the **Declaration of** Service form from the detention window.
- Give the **Declaration of Service** form to the Commissioner at the hearing.

If you do not file the Contempt Packet with the warrant, you will not be able to discuss any violations or behaviors at the hearing except the runaway.

## READ DIRECTIONS CAREFULLY BEFORE FILLING OUT FORMS

## 1) Motion to Show Cause Regarding Contempt:

• Fill out the information on the case (In Re: Youth's Last Name, First Name, Middle Initial, & DOB) and case number (14-7-00000-1).

### Section 1.1:

- Fill in youth's name.
- Mark the box indicating the type of case you have (ARY/CHINS) and fill in date the order was entered. (Usually the first date you appeared in court).

## Section 1.3 (B), page 4

 Mark the box indicating the type of case you have (ARY/CHINS) and fill in the date the order was entered. (Usually the first date you appeared in court).

## Section 1.3, page 5

- Mark the box at the beginning of each violation section.
- Fill in the section of the order that was allegedly violated (usually 3.3, however 3.1 covers residence violations).
- Fill in the date of the alleged violation.
- On the lines provided: Write each condition the youth allegedly violated and briefly describe how the violation occurred. **Example:** Youth violated curfew. Youth was ordered to follow curfew of 10:00 p.m. Youth did not come home until 11:30 p.m.
- Continue to list each allegation as described above.

### NOTE:

- If you need additional room for more allegations, you may request additional pages or continue listing them on an 8 ½ x 11 piece of paper.
- **Remember**; write the section of the order that was allegedly violated and the date of the violation, before briefly describing what occurred.
- Please stay within the lines and margins provided and do not write on the back of any pages.

## Section 1.3, page 6

Moving party must date and sign.

## 2) Declaration of Service

- Fill out the information on the case (In Re: Youth's Last Name, First Name, Middle Initial, & DOB) and case number (14-7-00000-1).
- The remainder of this form will be completed by the person serving the Motion and Order.

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH				
JUVENILE DIVISION		DIVISION		
IN RE:			NO:	
			MOTION TO SHOW CAUSE REGA CONTEMPT FOR VIOLATION OF A YOUTH/CHILD IN NEED OF SERV	AN AT RISK
DOB:				
		I. MOTION AN	ND DECLARATION	
1.1 to com		ove the Court for an order finding ith the terms of:	in conte	mpt for failure
		Child in Need of Services (CHINS) o	rder dated,	20
		At-Risk Youth (ARY) order dated		20
		Placement order under ARY/CHINS	dated,	20
1.2 Granting Sanctions for contempt which may include a fine of up to \$100.00, imprisonment of up to seven days and/or other relief as requested as provided for in Chapter 7.21 RCW.				
1.3	FAC	CTS IN SUPPORT of this motion are:		
	A)	The respondent personally appeared for waived.	the Fact Finding hearing, therefore s	ervice is
	B)	I, the petitioner, do declare that The D by the respondent as follows: (list each sand how the violation occurred)		

	Section 3.3 was violated on	by the Respondent in the following ways:
<u> </u>		by the Respondent in the following ways:
	Section 3.3 was violated on	by the Respondent in the following ways:
□ way(s):	Section was violated on	by the Respondent in the following

I DECLARE under and correct.	er penalty of perjury unde	er the laws of the	State of Washington	on that the forgoing is true
Dated this	day of	, 20	at (City)	, Washington.
Signature of Mov	ring Party			
Printed Name of	Moving Party			

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION			
IN RE:	NO: ORDER TO SHOW CAUSE REGARDING		
	CONTEMPT (ARY/CHINS)		
DOB:	(CLERK'S ACTION REQUIRED)		
IT IS HEREBY ORDERED THAT:			
(Youth's Name) and (Parent's N	are DIRECTED to personally APPEAR (ame)		
at a HEARING ON THE ATTACHED MOTION TO BE HELD ON, 20			
at am/pm at the Denney Juvenile Jus	stice Center, 2801 10 <sup>th</sup> Street, Everett WA 98201, and		
show cause why contempt should not be found.			
Dated: JU	DGE/COMMISSIONER		
Screened by:			

SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DIVISION	
IN RE:	NO:
	DECLARATION OF SERVICE
DOB:	
I, say upon oat	h, that on the day of,
20, I served	in person with a copy of the following
document(s) which have been filed under the above cause	number:
· ,	
☐ The Motion and order to Show Cause Regard	ding Contempt
Filed on	
☐ Other:	
Filed on	
-	<del>-</del>
I DECLARE UNDER PENALTY OF PERJURY UND THAT THE FOREGOING IS TRUE AND CORRECT.	
Signed in, (City) (State)	on
(Suite)	(Suto)
	Signature
	Print Name